

MESSAGE NO: 1364302 MESSAGE DATE: 12/30/2011

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE:

FR CITE: FR CITE DATE:

REFERENCE 3098202, 4067111, 7187204
MESSAGE #
(s):

CASE #(s): A-122-822

EFFECTIVE DATE: 12/23/2011 COURT CASE #:

PERIOD OF REVIEW: 08/01/2000 TO 07/31/2001

PERIOD COVERED: TO

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: Liquidation instructions for certain corrosion resistant carbon steel flat products from Canada for the period 08/01/2000 through 07/31/2001 (A-122-822 and special CBP case numbers)

1. MESSAGE NUMBER 4067111, DATED 03/08/1994, ESTABLISHED A FORMAT FOR U.S. CUSTOMS AND BORDER PROTECTION (CBP) TO IDENTIFY SUBJECT MERCHANDISE THAT, FOR CBP PURPOSES, ORIGINATES IN ONE COUNTRY AND IS FURTHER PROCESSED IN ANOTHER COUNTRY SUCH THAT, FOR ANTIDUMPING PURPOSES THE COUNTRY OF MANUFACTURE IS CONSIDERED THE LATTER COUNTRY. SEE E.G., PARAGRAPH 6 OF MESSAGE NUMBER 4067111.

THIS IDENTIFICATION NUMBER (A-XXX-108-ZZZ) DENOTES THREE THINGS: THE COUNTRY OF ORIGIN (-XXX), AS DETERMINED BY CBP; THE CODE OF THE PRODUCT AS IT ENTERS THE U.S. REFLECTING ANY FURTHER PROCESSING DUE, I.E. CORROSION-RESISTANT CARBON STEEL (-108); AND, THE UNIQUE COMPANY CODE (-ZZZ), WHICH CORRESPONDS TO THE COMPANY THAT SUBSTANTIALLY TRANSFORMED THAT PRODUCT. FOR EXAMPLE, A COIL OF COLD ROLLED CARBON STEEL ORIGINATING IN THE UNITED KINGDOM THAT WAS TRANSFORMED INTO CORROSION RESISTANT CARBON STEEL FLAT PRODUCTS IN CANADA MIGHT ENTER UNDER THE CASE NUMBER A-412-108 AND BE SUBJECT TO RELEVANT CASH DEPOSIT REQUIREMENTS AND ASSESSMENT OF ANTIDUMPING DUTIES.

2. COMMERCE DID NOT CONDUCT AN ADMINISTRATIVE REVIEW OF THE ANTIDUMPING DUTY ORDER FOR THE PERIOD AND ON THE MERCHANDISE IDENTIFIED BELOW. MESSAGE NUMBER 3098202 DATED 04/08/2003, PREVIOUSLY LIQUIDATED ENTRIES FOR CORROSION-RESISTANT CARBON STEEL FLAT PRODUCTS FROM CANADA (A-122-822) FOR 08/01/2000 TO 07/31/2001. THEREFORE, IN ACCORDANCE WITH 19 CFR 351.212(C), YOU ARE TO ASSESS ANTIDUMPING DUTIES ON MERCHANDISE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION AT THE CASH DEPOSIT OR BONDING RATE IN EFFECT ON THE DATE OF ENTRY FOR ALL A-XXX-108-ZZZ ENTRIES AS IDENTIFIED IN MESSAGE NUMBER 4067111 FOR WHICH THE COUNTRY OF MANUFACTURE, FOR ANTIDUMPING PURPOSES, IS CANADA.

PRODUCT: CERTAIN CORROSION RESISTANT CARBON STEEL FLAT PRODUCTS

COUNTRY: CANADA

PERIOD: 08/01/2000 THROUGH 07/31/2001

CASE NUMBERS:

A-412-108 A-357-108

A-602-108 A-433-108

A-423-108 A-351-108

A-405-108 A-427-108

A-428-108 A-475-108

A-588-108 A-580-108

A-201-108 A-421-108

A-614-108 A-455-108

A-470-108 A-401-108

A-100-108 A-485-108

LIQUIDATE ALL ENTRIES FOR ALL FIRMS, FOR WHICH THE COUNTRY OF MANUFACTURE, FOR ANTIDUMPING PURPOSES, IS CANADA.

3. THERE ARE NO INJUNCTIONS APPLICABLE TO THE ENTRIES COVERED BY THIS INSTRUCTION.

4. THESE INSTRUCTIONS CONSTITUTE NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF SUBJECT MERCHANDISE DURING THE PERIOD 08/01/2000 THROUGH 07/31/2001. AS A RESULT OF THE REVOCATION OF THE ANTIDUMPING DUTY ORDER ON CERTAIN CORROSION-RESISTANT CARBON STEEL FLAT PRODUCTS FROM CANADA, EFFECTIVE 12/15/2005, ENTRIES ARE NO LONGER BEING SUSPENDED AND CASH DEPOSITS ARE NOT REQUIRED. SEE MESSAGE NUMBER 7187204, DATED 07/06/2007.

5. THE ASSESSMENT OF ANTIDUMPING DUTIES BY CBP ON SHIPMENTS OR ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930, AS AMENDED. SECTION 778 REQUIRES THAT CBP PAY INTEREST ON OVERPAYMENTS OR ASSESS INTEREST ON UNDERPAYMENTS OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED

ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE PAYMENT OF ESTIMATED ANTIDUMPING DUTIES IS REQUIRED THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

6. UPON ASSESSMENT OF ANTIDUMPING DUTIES, CBP SHALL REQUIRE THAT THE IMPORTER PROVIDE A REIMBURSEMENT STATEMENT, AS DESCRIBED IN SECTION 351.402(F)(2) OF COMMERCE'S REGULATIONS. THE IMPORTER SHOULD PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION OF THE ENTRY. IF THE IMPORTER CERTIFIES THAT IT HAS AN AGREEMENT WITH THE MANUFACTURER, PRODUCER, SELLER, OR EXPORTER, TO BE REIMBURSED ANTIDUMPING DUTIES, CBP SHALL DOUBLE THE ANTIDUMPING DUTIES IN ACCORDANCE WITH THE ABOVE-REFERENCED REGULATION. ADDITIONALLY, IF THE IMPORTER DOES NOT PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION, REIMBURSEMENT SHALL BE PRESUMED AND CBP SHALL DOUBLE THE ANTIDUMPING DUTIES DUE. IF AN IMPORTER TIMELY FILES A PROTEST CHALLENGING THE PRESUMPTION OF REIMBURSEMENT AND DOUBLING OF DUTIES, CONSISTENT WITH CBP'S PROTEST PROCESS, CBP MAY ACCEPT THE REIMBURSEMENT STATEMENT FILED WITH THE PROTEST TO REBUT THE PRESUMPTION OF REIMBURSEMENT.

7. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT THE OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577, RESPECTIVELY (GENERATED BY O6: MK).

THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

MICHAEL B. WALSH

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party